

Santo Domingo Pueblo (3)
A Landfill and Solid Waste Dumping Ordinance
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General Ordinance

A LANDFILL AND SOLID WASTE
DUMPING ORDINANCE

Be it enacted by the Tribal Council of the Santo Domingo Tribe,

WHEREAS, solid waste and garbage are generated on the lands of the tribe, and

WHEREAS, such garbage needs to be effectively handled, picked up and disposed of in a designated landfill area, and

WHEREAS, garbage and solid waste are being dumped indiscriminately on tribal lands and such dumping needs to be stopped and prior dumping cleaned up, and

WHEREAS, the existing landfill needs to be upgraded to a sanitary landfill.

NON, THEREFORE, the Tribal Council hereby enacts and puts into law and force the following:

1. Disposal of solid waste and garbage in or on the land without careful planning and operation presents a danger to human health, livestock, and the environment.
2. Open and indiscriminate dumping is currently and particularly harmful to human health and livestock, contaminates drinking water from underground and surfaces supplies, attracts rodents and insects and otherwise pollutes the air and water.
3. There shall be no dumping of solid waste, garbage or other refuse except in the existing landfill or only in other authorized locations and in a manner directed by the executive branch of the government. Violators may be fined.
4. Tribal members are directed to hold, gather and dispose of their solid waste and garbage only as directed by the executive branch.
5. No person not a member of the tribe may dispose of any solid waste on tribal lands or waters, nor construct and operate a landfill not permitted by the tribal council. Business invitees under business lease will be required to follow the tribal rules and procedures for handling solid waste.
6. The Governor is authorized to establish a plan to eliminate open dumping, to arrange for upgrading the existing landfill and to establish procedures for community service to clean up all

refuse on tribal lands. The plan begun by letter of the Governor to Mr. W.E. Wruble, April 26, 1989, is a part of this authorization.

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7. The Governor shall, as time and resources permit, operate the existing or any future landfill in accordance with sanitary landfill criteria, as follows:

- a. Practices at the landfill shall be done so as not to result in a washout of any solid waste to other land or water of the tribe,
 - b. The landfill shall not, by design or operation, result in a discharge of material into any waters of the tribe,
 - c. The landfill must not contaminate groundwater beyond the landfill boundary area,
 - d. Practices shall be compatible with any wellhead protection program established by the tribe,
 - e. There shall be periodic application of dirt or other cover material to reduce health threats caused by disease-carrying animals or insects, such as rats, flies, and mosquitos,
 - f. Sewage sludge, if placed in the landfill, shall be disposed of only in a trenching or burial operation, and
 - g. Access to the facility shall be controlled. Fencing is recommended, with commensurate warning signs and directive signs.
 - h. Transportation of the solid waste to the landfill shall be accomplished in a manner that prohibits spillage from the transporting vehicle.
 - I. Ash from wood-burning stoves, fireplaces and ovens are to be controlled in the same manner as other solid waste.
 - j. Trenches in any landfill site shall not penetrate or bottom-out in a drinking water formation. Measurements shall be made prior to siting to prohibit such and ideally, trenches and landfills should bottom-out in clay or another impermeable strata.
8. No landfill site shall be constructed, and no open dumping shall take place, in a high water level area such as near the Rio Grande.
9. Dead animals in the Village area shall be taken to the trench in the landfill site.
10. The procedural, day-to-day operations and siting of landfills by the Tribal Utilities Authority shall follow those procedures set forth in 40 C.F.R. 241.